

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

Hollywood Recreation Center

1650 S. Hollywood Blvd, Town Board Conference Room

Las Vegas, Nevada 89121

December 4, 2008

6:30 p.m.

MEMBERS PRESENT: BIGGERSTAFF, JAN (JB)
ENGSTROM, CLARISSA NELSON (CNE)
POOLER, TOM (TP)
RIVERA, ALFREDO (AR)
YOUNG, BILLIE (BY)

1. Call to order

The meeting was called to order at 6:33 p.m.

2. Approval of agenda

A motion to approve the agenda was made and seconded.

3. Approval of October 10, 2008 Minutes

A motion to approve the agenda was made and seconded.

4. Approval of Applications for Spay/Neuter Funds

DAVE MARCH (DM) – HCW is asking for \$10,000 and We Care for Animals is asking for \$4,000. AR makes a motion to approve. BY seconds the motion. All in favor

5. Appeal of Vicious Animal Declaration: Sergei Popov - 7953 Blue Brook Avenue, Las Vegas, 89147

Popovs have counsel, as their English is not as good as they would like it to be, Douglas Gardner (DG). Booklet and character references as well as signed letters for character witnesses for the dog. They are very anxious to comply with rules as set forth for this dog. Immediately did all they could to comply with statute. CE – has the dog been sterilized? DG he is in the shelter, so no. IGOR POPOV (IP) got the dog as a baby. He plays rough with smaller dogs. He is good around kids and people. If we get him neutered he will be ok. ELLA GURKOVA (EG) it was a horrible accident that was my fault. His collar got loose. DG - They got a muzzle for the dog, did everything they could to make sure the dog is not a threat to anyone. They are committed to do that. Have changed their fence, put a lock and a sign up. Have done everything they could. It was a freak accident. I think the dog just invaded his space by walking between them and probably believed he was protecting his owner. Isolated incident. Nothing like this has ever happened. JB – papers indicate the dog attacked a Yorkie in April. CE – is Yorkie still alive? EG – yes. The dog was not dead on the scene. It was barking at EG as they were taking it away. EG dog was not bleeding, little dog was barking and still alive. IP my dog doesn't bark, he just grabs and rolls them. It will not be allowed to escape again. He never runs free or alone. The dog went through a training program – Canine Education in December 2006. He got attacked at the dog park by so many big dogs. My mom walks him at night as I work at night. We go to the middle enclosed area and make sure there are no dogs. He slipped out of the leash and ran off. The new chain he will not be able to slip out of.

BY – witness statement says attacked occurred and they tried to find you. EG – there has been no contact. We are prepared to handle vet bills and anything else we would be responsible for. TP – you guys might want to get together and work this out. BY - During this we prefer you focus comments and question to us and anything worked out amongst you is after the proceedings. TP – has the dog been microchipped. IP – it will be. We are prepared to neuter and microchip and have the proper insurance but he has been at the shelter.

LEONARD KYRK said this happened about 9 p.m. He was walking his dog and 20 yards in the distance; she was holding their dog on a leash. The 2 girls on the report, the daughter was petting my dog and I was talking to the mom. During this, their dog came and attacked. He was running around my feet. I was kicking and hitting him, she came in trying to free the dog, and another gentleman came in trying to help. The guy was 50 yards away playing basketball came and tried to help. How her dog was freed I have no idea. My dog is laying there with his guts laying out, gasping for air, I picked him up and took him to the hospital. The other 2 gals try to find her. She was on the phone talking to someone and took off. As she was walking to the park, the one gentleman was walking his boxer into the large area and they were asked if the dog was friendly. She said no. He walked around to take him to the fenced in area and she started coming toward me. After all this, we tried to save him and couldn't do anything for him. His back was broken, he had been tossing him around in his mouth. A lot of people saw what has happened. The 3 there were right there when this happened. When she was in the park the day she was approached, she's said no, no, no, my dog wouldn't kill. Since that day from 5 a.m. to 11 p.m., I was trying to find her. This happened at Desert Breeze. I found her at the new park at Buffalo and Flamingo two months later. She is walking her dog in there and right away our eyes met. She walked around the fenced area, any time her dog went near another animal, he went crazy. My wife and I followed her home. During that time at the park, a gentleman with a shepherd tried to come in and her dog started growling. The following day we were taking pictures of her to make sure we had the right people. She went back to Desert Breeze. Walks around the fenced in area and any little dog that comes, he goes crazy. They knew the animal shouldn't be around other dogs. It happened once. Her dog is going crazy any time it gets by another animal. I don't know how you can say this is a gentle animal. I can supply more reports from the people who were there and from others who have seen the dog afterward. Most of the same people come to the parks all the time. My concern is for others, for other animals and for kids. You need to see for yourself the interaction of this dog with others. I wouldn't want my kid being anywhere around him. Strongly suggest you see for yourself this dog.

CE none of these dogs are neutered. This family wants to be conscientious and control this dog. Like having a loaded gun. Certain dogs are dog aggressive. Does it make them vicious or a dog? It did attack a Yorkie in April and the woman admitted the dog was not friendly yet continued to take to parks. DM read definition of vicious and/or dangerous animal. AR feels bad for both parties. This is something that shouldn't have happened. You have a dog that has the power and proven desire to act on its instincts; you have a greater responsibility than doing just the basic training. Every dog can be trained. But we have already crossed the line. It's like saying I own guns and I accidentally shoot my neighbor. I am really sorry but I will make sure I lock up my gun. It is the same thing. This dog has hurt two dogs, one that he killed and one that he hurt so admittedly the owners knew he was dangerous to some extent. Every dog has the ability to do damage. It is up to us to teach them to control their energy. We have a greater responsibility to have greater control and direction with the more powerful dogs so they don't act on their abilities and get themselves in trouble. In my opinion the owners knew this dog had a certain amount of ability to show aggression. That doesn't mean they will hurt kids. Most dogs that hurt other dogs don't want to hurt people. It is not hard to believe he is a friendly dog. Can his motives be that he is genetically predisposed, possible? But he is a result of his owner's lack of responsibility to control him. It isn't his fault. I feel bad for Rex. Bottom line is he killed another dog. The big dog should have been trained or controlled. I firmly believe it was an accident that could have been avoided. They didn't realize he was capable of killing a dog but they knew he had problems with other dogs. You either train

a dog or contain a dog. He should not have been around other dogs. It happened twice. I have a problem with the owners, not with Rex. He is trainable. The time has passed. He has already crossed the line.

BY knows this is emotional. Certainly see the loss was avoidable. Knowing your dog was aggressive to other dogs, he should never have been in the public with other animals. When he was deemed dangerous, you took the steps but it was too little too late. It should have been the first time at the dog park that any aggression was shown toward another animal. Then this would not have happened. TP agrees with AR. When the human does not exercise the correct amount or type of control, that's when you have a problem. Sad situation. Could end up with the death of two dogs and both could have been prevented. You have to be more responsible and now you are at the point when you will be held accountable.

IP said after the first incident he went to that class and he had no problem with little dogs. Can we agree not to take him to parks, keep him in the backyard? We would agree to training or any other requirements. DG - If there were a decision to euthanize the dog, we would ask you to suspend that pending the appeal to the Court. She does have a problem with language and she may not have understood when someone asked if the dog was dangerous. He doesn't go crazy with other dogs. According to the statute, there is an exception if the dog is provoked. Chihuahua may have been on a leash but there is still a question of why it was close enough to be in a confrontation. It is a legitimate question. Do you have the medical records? CE yes it says his guts were hanging out. BY – how is it that your relationship with these people is such that you can guarantee anything. I have a long-standing relationship with a dear friend we have represented for a long time. I hear some very good things coming from you but IP does not seem convinced that his dog is aggressive with other dogs or not aware of how this can come about. IP said they have already taken care most of the requirements and agree to keep the dog contained at their house, never at the park, always in the backyard, muzzle it, microchip it, whatever they have to do to keep it alive. We also have to get him neutered. DM – ultimately the only things they can be held to are those requirements of the code. Unless code says he must do it, he doesn't have to. We don't issue legal orders. Honestly, he can agree to do anything but unless it is specifically stated in the code, we cannot hold him accountable. We are willing to go above and beyond. If there were any other type of complaint, we would agree to relinquish the dog.

LK – I am standing with my dog speaking to a lady to my right, her daughter is petting my dog by my feet. Her dog is going crazy maybe 20 yards away. I didn't think anything of it. There are always people there. If I thought there was a problem, I would have grabbed him. She probably can't control him. Before I knew it while I was speaking to the ladies, he was at my feet. My dog could not have provoked their dog. TP – did you walk your dog between them and the fence? LK – no. I am standing 20 yards away and before you know it he is at my feet. He pulled on my dog so hard, the leash and the collar just.... He was like our kid. Everybody loved this dog. She knew. The whole family knew how dangerous this animal is. She went to different parks so I couldn't find her. You have a responsibility to society. BY knows this is emotional and he was a family member to you. Would it be acceptable to you to see that the animal is contained and not in the public eye? LK – nobody wants to kill anything. My heart says no but I know it is going to happen again. If she was taking him to other parks after this cause she didn't want to be caught, it is just a matter of time.

JUDY ERICKSON from HCW shows that Igor Popov called October 28. S/n is e-mailed to schedulers. We returned the call on November 3. Ella Gournova said they had an appointment for November 8.

JB your dog attacked the Yorkie in April and you didn't do anything about getting it neutered. And that is no guarantee it will take all the aggression out of the animal. AR we are going off on a tangent. Sterilizing the dog is not the primary reason for this attack. There are plenty of show dogs, police dogs that do not attack and there are lots of neutered dogs that do not know how to control their energy.

Majority is behavioral which is training. You can be born aggressive and learn manners. Neutering is important but not primary reason for aggression. Not a silver bullet. Would not have changed anything in this picture. Handling the dog responsibly is the only thing that would have changed this picture.

TP we need to make our determination. DM read dangerous requirements. CE by definition this dog is vicious. It killed once and hurt once. BY doesn't believe the animal should suffer because of someone's lack of responsibility. See this people taking steps to try to contain the animal. Believe they recognize the seriousness and hope they follow through with compensation. Vote to reduce to dangerous. TP believes it is vicious. AR doesn't like euthanizing dogs. Knows it is the fault of the owner, not the dog. They are no guarantees. Not sure owners have convinced me they will follow through. Right now I am going with dangerous. JB strongly looking at reducing to dangerous but don't see the depth of understanding of the danger this dog is. This dog must be confined if they do keep it. I would like to go with the animal and reduce to dangerous. TP - finding of this committee that we move the dog to dangerous. BY hope you recognize, take heed and follow through. There are no other chances. TP you don't just train dogs. You have to train owners. People who don't handle animals appropriately shouldn't be handling them. You have to realize what's right and what's wrong.

6. Information-sharing by Committee Members

Subcommittee regarding changing law on dog fancier permit handed out a copy of proposed changes. This will have to come up for a public hearing before a vote on it. MIKE CONNELL (MC) existing permit could be interpreted a number of ways to maintain permit by taking dogs to Strut Your Mutt, Look alike contests or just getting receipt. We clarified the language. An event show permit allows you to maintain more than 3 but not more than 6 intact dogs. Show at a licensed event where they can earn a title. If your dog has earned a title, you no longer have to show but can still maintain permit. TP - Please place on agenda for next time. DM – with dual permit no show person can have a mixed breed mutt that is fixed. That was one of the problems before. AR – that is not fair, somehow this has to reflect it. We need one permit that accommodates both. DM incorporate requirements for show and for sterilization.

BY – CCAC is taking applications for our positions up to the 15th of December. DM upcoming vicious was a Thanksgiving attack by two pit bulls on two horses. The two-year who was killed was in CLV. They did enough damage to one of the horses that it had to be euthanized. The horses were in their corral. We have medical records.

7. Comments by the General Public

BILL WHITMAN – can you all be back? We have 3 regular mutts with chips and 3 show dogs. What if someone wanted 6 mutts? Why have a defining line? If you love your dogs, you love your dogs. They are all your children. Who do I address to find out about number of animals? If you have 10 acres, who cares how many dogs there are if they don't get out. I missed half of your feedback. Speak up. DM – zoning department sets number regarding size of property. AC is more cut and dry. There are kennel permits, use permits for kennels to have more than 6 animals.

STACIA DYFESTA went to Broadacres swap meet. Concerned about puppies being sold. All were 8 weeks old. When I asked for vaccination certificate, half said no. TP – that is NLV. DM if you have addresses of where people are selling dogs, we will give you a witness statement and look into it.

JUDY ERICKSON wanted to thank you on behalf of HCW for the s/n monies.

8. Set date, time and agenda of next meeting

The next meeting was set for Tuesday, December 30, 2008 at 6:30 p.m. at the Paradise Recreation Center.

9. Adjournment

The meeting was adjourned at 8:19 p.m.